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Brian P. Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008), pp. x + 379, \$65.00, hb.

The legal history of Spanish America is enriched with this important study about the facts, legal sources, procedures and practices informing the foundational legal encounters of Spaniards and Indian claimants in sixteenth- and, especially, seventeenth-century Mexico. Brian Owensby thus joins a select group of distinguished historians who have written, in particular, about legal relations in colonial Mexico, including, to mention just some of the most representative, Woodrow Borah, Charles Cutter, Andrés Lira González and Colin MacLachlan. Even though the author wrote his first major monograph on the social configuration of modern Chile, this most recent work is yet more remarkable for being as profusely documented, well written and intelligently crafted as one would have expected from a long-standing expert on colonial Mexico.

Focusing on numerous petitions and lawsuits filed by indigenous men and women over the possession of land, labour demands, tribute, village governance and the punishment of crimes, Owensby establishes some of the broad ideas guiding the legal struggles on which colonial subjects embarked, sometimes at great expense and for lengthy periods of time. He sheds light, for instance, on their understanding of notions such as justice, liberty, possession, local autonomy and guilt. At the same time, he captures the nuances of the various encounters and, thus, beyond abstract principles or ideas such as those just mentioned, he uncovers the fluid and contingent nature of diverse disputes and outcomes. Unhindered by his training as an attorney used to a neatly organised world of rational, clear-cut, and complete or self-contained norms and legal principles, he displays the skills of a fine historian able to discern the particular understandings and experiences of contemporary actors (petitioners, notaries, judges, interpreters, witnesses, advocates) engaging each other under circumstances and following logics that would seem rather odd and difficult to make sense of for modern minds like ours. Moreover, the study manages to recreate the intensely 'political' nature of the legal relations that took shape during the first two centuries of the colonial experience in New Spain, a most vital portion of the Spanish empire. Therefore, rather than a mere study of laws and litigants, this is more broadly a work on the politics of inequality in the early modern world.

The study is divided into nine chapters. The early ones provide its conceptual frame and recreate the economic, social and institutional circumstances and relations characteristic of the new world surfacing in sixteenth-century Mexico. Those that follow examine the emergence and active usage of *amparo* claims whereby, from the seventeenth century onwards, colonial subjects sought royal protection and developed grievances over diverse material interests, particularly the dispossession of land, excessive pressures and demands for labour and taxes, interference in local governance, and the consequences of unpunished crimes and just revolts. In fact, one of the chapters is dedicated to reinterpreting the 1660–1 rebellion of Tehuantepec, an important colonial upheaval resulting from growing abuses by local officials against the natives of Oaxaca, a mixture of Zapotecas, Mixes and Chontales from several dozen towns and villages. Fed up with the *repartimiento de mercancías*, a system of compulsory sales, exchanges and credit, and incensed about incarcerations, floggings and excessive charges related to this institution, thousands of indigenous men and women took to the roads and squares of nearby villages. They

started by stoning to death the *alcalde* (mayor) of the town of Guadalcázar, Juan de Avellán, and one of his black slaves. Later they would also severely injure a tribute collector and an Indian bailiff sympathetic to him, and throw stones and set various fires in this and other places. In order to punish the rebels at least five of their leaders were executed and two of them quartered and their bodily parts posted along the royal highways. Over 60 others were jailed, tried and punished, being flogged, exiled, sent to the mines or to lifetime service in the galleys at Veracruz, or sold to textile workshops. Some women had their hair cut off, and at least one, who had allegedly set fire to some stables, had one of her hands cut off and nailed to a post. To be sure, as part of the royal efforts to pacify the rebels, many more men and women were ultimately pardoned. Using the fragmentary evidence available, Owensby pieces the events together neatly and interprets the rebels' actions as being motivated, at least in part, by the conviction that they were 'obedient vassals of a king who, by law, had a special duty to protect the weak and powerless from the strong and powerful' (p. 294).

All in all, this work provides compelling evidence that, except for rather exceptional moments and episodes like the rebellion of Tehuantepec, which in any case were not altogether unrelated to legal claims and particular notions of justice, indigenous communities chose from very early on to make active use of colonial courts and legal instruments. They conducted litigation with tenacity, and understood that such mechanisms, administered by a munificent king, played critical roles in their pursuit for land, autonomy and freedom. Along the lines of Borah and Cutter, and contrary to the insightful analysis of Steve J. Stern about the instrumental role of law in the construction of Spanish hegemony over subaltern groups in the Andean world, Owensby understands that law and litigation played a positive role in the lives of native communities and individuals, affording them a vehicle to protest and demand solutions to everyday grievances and needs of all kinds. Furthermore, he views legal weapons as the main expression of 'political' contestation in colonial times, from very early on. It is thus surprising that he fails to cite the work of Sergio Serulnikov (*Subverting Colonial Authority*, 2003), which, though focused on the Bourbon era and the Andes rather than Habsburg New Spain (the latter constituting the main area of interest of *Empire of Law*), would have been worth discussing, at least in passing.

In any case, this book should become required reading for anybody wishing to make sense of legal relations, adaptation and resistance in the early New World and similar colonial contexts. It is a truly major tour de force.

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Geoffrey Baker, *Imposing Harmony: Music and Society in Colonial Cuzco* (Durham NC: Duke University Press, 2008), pp. x + 308, £48.00, £12.99 pb.

This engaging book is a welcome contribution to Andean history, colonial urban history and the social history of music generally. At its most basic, Baker's book puts the music back into colonial Cuzco: the church bells, the drums and trumpets of religious fiestas, a sackcloth procession singing dirges for a dead queen. The subject is church music, the colonial masses, hymns, *villancicos* and marches of Catholic ritual and institutional life. The book is not a musical analysis, however, but a social